

Frederic M. Rosen
Terrance J. Cirocco

Law Offices
Frederic M. Rosen, P.C.
The Buhl Building
535 Griswold Street, Suite 2040
Detroit, Michigan 48226

Telephone - 313-961-8900
Fax - 313-961-7616
Flint - 810-515-8905

June 17, 2021

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
TRACKING #7020 1810 0000 0124 9919**

Western Wayne Family Health Centers
Attn: Linda Atkins
2700 Hamlin Blvd
Inkster, MI 48181

**Re: Catherine Grace v Candace Johnson et al
Wayne County Circuit Court - Case No.: 21-006874-NH
Hon. Martha Snow**

Dear Ms. Atkins:

With reference to the above matter, enclosed herein please find ***Summons, Plaintiff's Complaint and Demand for Trial by Jury, together with Affidavit of Meritorious Claim (signed by Patricia A. Wangerin, NP)*** which are being served upon you on behalf of Western Wayne Family Health Centers. Please forward these materials to your insurance carrier and/or attorney **immediately**.

Thank you for your attention in this regard.

Yours truly,

FREDERIC M. ROSEN, P.C.



Sisceley Banks
Legal Assistant

/sb

Enclosures

Approved, SCAO

Original - Court
1st Copy- Defendant2nd Copy - Plaintiff
3rd Copy -Return**STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT
WAYNE COUNTY****SUMMONS****CASE NO.
21-006874-NH
Hon.Martha M. Snow**

Court address : 2 Woodward Ave., Detroit MI 48226

Court telephone no.: 313-224-6889

Plaintiff's name(s), address(es), and telephone no(s)
McClanty as Trustee of the Chapter 7, Homer
et. Al

v

Defendant's name(s), address(es), and telephone no(s).
Western Wayne Family Health Centers**Plaintiff's attorney, bar no., address, and telephone no**Frederic M. Rosen 19625
535 Griswold St Ste 2040
Detroit, MI 48226-3680RA: Linda Atkins
2700 Hamlin Blvd
Inkster, MI 48181**Instructions:** Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.**Domestic Relations Case**

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court,

where it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date
6/8/2021Expiration date*
9/7/2021Court clerk
Angila Mayfield

Cathy M. Garrett- Wayne County Clerk.

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (9/19)

SUMMONS

MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105



SUMMONS
Case No. : **21-006874-NH**

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE

☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

☐ I served personally a copy of the summons and complaint.

☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint, together with _____

List all documents served with the Summons and Complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time
Western Wayne Family Health Centers	RA: Linda Atkins 2700 Hamlin Blvd, Inkster, MI 48181	

☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	
Incorrect address fee \$	Miles traveled \$	Fee \$	Total fee \$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.

Date

My commission expires: _____

Date

Signature: _____

Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments

on _____

Day, date, time

on behalf of _____

Signature _____

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

HOMER MCCLANTY as TRUSTEE of the CHAPTER 7
BANKRUPTCY ESTATE of CATHERINE GRACE,

Plaintiff,

vs.

No. 2021 -NH
Honorable

CANDACE JOHNSON,
DANIELLE RAE GERTZ, NP, and
WESTERN WAYNE FAMILY HEALTH CENTERS,

Defendants.

FREDERIC M. ROSEN, P.C.
Frederic M. Rosen (P19625)
Terrance J. Cirocco (P36679)
Attorneys for Plaintiff
535 Griswold, Suite 2040
Detroit, MI 48226-3423
(313) 961-8900
frosen@frosenlaw.com

PLAINTIFF'S COMPLAINT AND DEMAND FOR JURY TRIAL

There is no other pending or resolved civil
litigation arising out of the transaction or
occurrence alleged in this complaint.

/s/ Frederic M. Rosen

NOW COMES Plaintiff, **CATHERINE GRACE**, by her attorneys, FREDERIC M.
ROSEN, P.C., and for her Complaint and Demand for Jury Trial, states the following:

GENERAL ALLEGATIONS

1. The amount in controversy exceeds Twenty-Five Thousand Dollars (\$25,000) and is otherwise within the jurisdiction of this court.
2. Plaintiff was at all times relevant hereto a resident of the County of Wayne and

State of Michigan.

3. **CANDACE JOHNSON, DANIELLE RAE GERTZ, NP, and WESTERN WAYNE FAMILY HEALTH CENTERS**, were at all times relevant hereto health care providers conducting business in the County of Wayne, and State of Michigan.

FACTUAL ALLEGATIONS

4. On June 14, 2019, Catherine Grace presented to Western Wayne Family Health Centers. Her listed PCP is Marie Shoulders-Williams, NP. She was seen at the facility by Danielle Rae Gertz, NP. On this date a Vivitrol injection was administered by aide, Candace Johnson under the auspices of Nurse Practitioner Gertz. The needle employed by aide Johnson was too short, was improperly placed and was the medication was the improper temperature. Ms. Grace experienced immediate burning in her buttocks. This was Ms. Grace's 8th Vivitrol injection at Western Wayne Family Health Centers. She was receiving Vivitrol for her history of alcohol abuse.

5. Ms. Grace returned to see Nurse Practitioner Gertz on June 20, 2019. It was noted by NP Gertz patient "presents with complaint of reaction at site of Vivitrol injection. Injection was given on June 14, 2019. She noticed on the evening of the 15th a lump starting to form with tenderness. It has gotten bigger and more painful as the days go on". A photo was uploaded to the chart. The left buttock injection site was described as red, warm, and swollen. The antibiotic Bactrim was prescribed. NP Gertz noted a concern for cellulitis secondary to the injection and she was treating to cover MRSA. Prednisone was also prescribed for inflammation.

6. On June 23, 2019, Ms. Grace presented to the Beaumont Oakwood ED. She was diagnosed with an abscess and cellulitis of the gluteal region. She underwent I&D. An ultrasound

of June 25, 2019, revealed cellulitis and a multiloculated abscess of the left buttocks. She received IV Zosyn and Vancomycin. A surgical consult recommended antibiotics and wound care. She was discharged June 29, 2019.

7. Ms. Grace followed with NP Gertz and Dr. Patel (wound care physician). A wound vac was placed. She was seen by a home care nurse for her open wound. Ms. Grace's deep abscess wound (approximately 3 cm deep and 2 cm wide with tunneling) required continuous outpatient treatment with antibiotics, Prednisone, debridement and follow-up with the wound care clinic. She is left with a permanent indentation and extensive scar on her buttocks. She has permanent sensitivity, sharp stabbing pain when bending, squatting, sitting and sleeping. It has affected her social life, recreation, psychologically and interpersonal relations, including her sex life.

NEGLIGENCE OF CANDACE JOHNSON

8. Plaintiff realleges all previous paragraphs as though fully set forth herein.

9. Defendant Candace Johnson, a reasonable and prudent Family Practice assistant and/or technician, practicing in a Family Practice office setting, when presented with a patient exhibiting the history, signs and symptoms such as those of Catherine Grace, owes a duty to timely and properly:

- a. Perform a thorough and complete medical history and physical examination;
- b. Properly have knowledge that the Vivitrol injection should be administered by a health care professional;
- c. Properly recognize the potential serious effects of a Vivitrol injection;
- d. Properly assess the patient's body habitus and degree of subcutaneous fat in the patient's buttocks;

- e. Properly choose the larger needle to assure the Vivitrol is injected intramuscularly vs subcutaneously;
- f. Properly have knowledge that Vivitrol injection can ONLY be injected intramuscularly (IM) into the gluteal area and must be alternated between the right and left buttocks for each subsequent injection, using the carton components provided in each Vivitrol package under the “How Supplied/Storage and Handling” section, per Manufacturer’s Instructions;
- g. Refrain from injecting the Vivitrol in the subcutaneous fat, as to prevent tissue necrosis, severe cellulitis, abscess and an open deep tunneling wound;
- h. Wait the appropriate amount of time for the Vivitrol to reach room temperature before injecting; and
- i. Any and all acts of negligence identified in future discovery.

10. Defendant Candace Johnson, did none of these things and, as such, the acts or omissions constitute negligence for which the Defendant Candace Johnson, is directly liable to the Plaintiff.

11. Defendants Danielle Rae Gertz, NP, and Western Wayne Family Health Centers, are vicariously liable for the acts or omissions of its agents or employees including, but not limited to, Candace Johnson, pursuant to the doctrines of Respondeat Superior and ostensible agency.

NEGLIGENCE OF DANIELLE RAE GERTZ, NP

12. Plaintiff realleges all previous paragraphs as though fully set forth herein.

13. Defendant Danielle Rae Gertz, NP, a reasonable and prudent licensed Family Practice Nurse Practitioner, practicing in a Family Practice office setting, when presented with a patient exhibiting the history, signs and symptoms such as those of Catherine Grace, owes a duty to timely and properly:

- a. Perform a thorough and complete medical history and physical

examination;

- b. Properly have knowledge that the Vivitrol injection should be administered by a health care professional;
- c. Properly recognize the potential serious effects of a Vivitrol injection;
- d. Properly educate and train an individual allowed to provide a Vivitrol injection to a patient;
- e. Not allow an individual she is supervising and has responsible for to utilize an improper needle size;
- f. Not allow an individual she is supervising and responsible for to fail to inject Vivitrol intramuscularly;
- g. Not allow an individual she is supervising and responsible for to fail to wait until the Vivitrol was room temperature;
- h. Properly assess the patient's body habitus and degree of subcutaneous fat in the patient's buttocks;
- i. Properly choose the larger needle to assure the Vivitrol is injected intramuscularly vs subcutaneously;
- j. Properly have knowledge that Vivitrol injection can ONLY be injected intramuscularly (IM) into the gluteal area and must be alternated between the right and left buttocks for each subsequent injection, using the carton components provided in each Vivitrol package under the "How Supplied/Storage and Handling" section, per Manufacturer's Instructions;
- k. Refrain from injecting the Vivitrol in the subcutaneous fat, as to prevent tissue necrosis, severe cellulitis, abscess and an open deep tunneling wound;
- l. Wait the appropriate amount of time for the Vivitrol to reach room temperature before injecting; and
- m. Any and all acts of negligence identified in future discovery.

14. Defendant Danielle Rae Gertz, NP, did none of these things and, as such, the acts or omissions constitute negligence for which the Defendant Danielle Rae Gertz, NP, is directly liable to the Plaintiff.

15. Defendant Western Wayne Family Health Centers, is vicariously liable for the acts or omissions of its agents or employees including, but not limited to, Danielle Rae Gertz, NP, pursuant to the doctrines of Respondeat Superior and ostensible agency.

NEGLIGENCE OF WESTERN WAYNE FAMILY HEALTH CENTERS

16. Plaintiff realleges all previous paragraphs as though fully set forth herein.

17. Defendant Western Wayne Family Health Centers, a duly licensed and accredited health care facility, via its agents and employees, when presented with a patient exhibiting the history, signs and symptoms such as those of Catherine Grace, owes a duty to timely and properly:

- a. Select, employ, train and monitor its employees, servants, agents, ostensible agents and/or its staff of physicians, PACs, technicians, assistants, nurses, nurses aides and residents, to insure they were competent to perform adequate medical care;
- b. Ensure that appropriate policies and procedures are adopted and followed, including but not limited to, pursuing patient advocacy by following the chain of command where indicated;
- c. Perform a thorough and complete medical history and physical examination;
- d. Properly have knowledge that the Vivitrol injection should be administered by a health care professional;
- e. Properly recognize the potential serious effects of a Vivitrol injection;
- f. Properly assess the patient's body habitus and degree of subcutaneous fat in the patient's buttocks;
- g. Properly choose the larger needle to assure the Vivitrol is injected intramuscularly vs subcutaneously;
- h. Properly have knowledge that Vivitrol injection can ONLY be injected intramuscularly (IM) into the gluteal area and must be alternated between the right and left buttocks for each subsequent injection, using the carton components provided in each Vivitrol package under the "How Supplied/Storage and Handling" section, per Manufacturer's Instructions;

- i. Refrain from injecting the Vivitrol in the subcutaneous fat, as to prevent tissue necrosis, severe cellulitis, abscess and an open deep tunneling wound;
- j. Wait the appropriate amount of time for the Vivitrol to reach room temperature before injecting;

Properly educate and train an individual allowed to provide a Vivitrol injection to a patient;
- k. Not allow an individual she is supervising and has responsible for to utilize an improper needle size;
- l. Not allow an individual she is supervising and responsible for to fail to inject Vivitrol intramuscularly;
- m. Not allow an individual she is supervising and responsible for to fail to wait until the Vivitrol was room temperature; and
- n. Any and all acts of negligence identified in future discovery.

18. Defendant Western Wayne Family Health Centers, did none of these things and, as such, the acts or omissions constitute negligence for which Defendant Western Wayne Family Health Centers, is directly liable to the Plaintiff.

19. Defendant Western Wayne Family Health Centers, is vicariously liable for the acts or omissions of its agents or employees including, but not limited to Candace Johnson and Danielle Rae Gertz, NP, pursuant to the doctrines of Respondeat Superior and ostensible agency.

DAMAGES

20. Plaintiff realleges all previous paragraphs as though fully set forth herein.

21. The failure of the defendants to comply with the Standard of Care to do those things listed above resulted in Catherine Graces's obvious, significant and severe chemical burn, tissue necrosis injuries and permanent scarring and pain. Ms. Grace also sustained an avoidable deep abscess wound of the left buttocks, requiring multiple debridement's and placement of a wound

vac. Due to the Defendants negligence and deviation from the Standard of Care, Ms. Grace experienced mental anguish and anxiety.

The Defendants were negligent and deviated from the Standard of Care by failing to properly administer the Vivitrol injection and protect Catherine Grace from significant and severe chemical burn, tissue necrosis injuries and permanent scarring and pain.

The violations of the applicable standards of practice for **CANDACE JOHNSON, DANIELLE RAE GERTZ, NP, and WESTERN WAYNE FAMILY HEALTH CENTERS,** and the nurses, nurse's aides, technicians, assistants, residents, physicians, and/or professional corporation, or agents, express, ostensible or otherwise who were involved in the care and treatment of Catherine Grace, were the proximate cause of injury to her. The violations of the applicable standards of practice affected the whole person, which were permanent in nature causing significant and severe thermal burn injuries and scarring and pain to Catherine Grace and Catherine Grace's family to suffer emotional anguish, mental distress and loss of many of the enjoyments of living, consortium, companionship, pain and suffering due to her extraordinary deep abscess wound of the left buttocks, requiring multiple debridement's and placement of a wound vac. Due to the Defendants negligence and deviation from the Standard of Care, Ms. Grace experienced mental anguish and anxiety. .

Additionally, she sustained permanent additional injuries as the direct and proximate result of the failure to diagnose and treat the aforementioned medical condition. Further, appropriate diagnosis and treatment would have either obviated and/or ameliorated her current condition.

22. That as a direct and proximate result of Defendants **CANDACE JOHNSON, DANIELLE RAE GERTZ, NP, and WESTERN WAYNE FAMILY HEALTH CENTERS ,**

negligence and malpractice as hereinbefore alleged, **CATHERINE GRACE**, should recover for the conscious pain and suffering and the loss of love, affection, companionship, and services.

WHEREFORE, Plaintiff prays for an award of damages in excess of Twenty-Five Thousand Dollars (\$25,000) against the Defendants herein, jointly and severally, including interests, costs and attorney's fees so wrongfully incurred.

Respectfully submitted,

FREDERIC M. ROSEN, P.C.

By /s/ Frederic M. Rosen
Frederic M. Rosen (P19625)
Terrance J. Cirocco (P36679)
Attorneys for Plaintiff
535 Griswold, Suite 2040
Detroit, MI 48226-3423
(313) 961-8900

Dated: June 7, 2021

21-006874-NH FILED IN MY OFFICE Cathy M. Garrett WAYNE COUNTY CLERK 6/8/2021 9:59 AM Angila Mayfield

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

HOMER MCCLANTY as TRUSTEE of the CHAPTER 7
BANKRUPTCY ESTATE of CATHERINE GRACE,

Plaintiff,

vs.

No. 2021 -NH
Honorable

CANDACE JOHNSON,
DANIELLE RAE GERTZ, NP, and
WESTERN WAYNE FAMILY HEALTH CENTERS,

Defendants.

DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, CATHERINE GRACE, by her attorneys, FREDERIC M.
ROSEN, P.C., and hereby demands a trial by jury in the above entitled cause.

Respectfully submitted,

FREDERIC M. ROSEN, P.C.

By /s/ Frederic M. Rosen
Frederic M. Rosen (P19625)
Terrance J. Cirocco (P36679)
Attorneys for Plaintiff
535 Griswold, Suite 2040
Detroit, MI 48226-3423
(313) 961-8900

Dated: June 7, 2021

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

HOMER MCCLANTY as TRUSTEE of the CHAPTER 7
BANKRUPTCY ESTATE of CATHERINE GRACE,

Plaintiff,

vs.

No. 2021 -NH
Honorable

CANDACE JOHNSON,
DANIELLE RAE GERTZ, NP, and
WESTERN WAYNE FAMILY HEALTH CENTERS,

Defendants.

FREDERIC M. ROSEN, P.C.
Frederic M. Rosen (P19625)
Terrance J. Cirocco (P36679)
Attorney for Plaintiff
535 Griswold, Suite 2040
Detroit, MI 48226-3680
(313) 961-8900

AFFIDAVIT OF MERITORIOUS CLAIM

STATE OF MICHIGAN)

) SS.

COUNTY OF OCEANA)

I. PATRICIA A. WANGERIN, NP, by this Affidavit, attest to the following:

1. I have read the Notice of Intent to File Claim in this action and all the medical records supplied by Plaintiff's attorney concerning the allegations in the Notice of Intent.

2. I have read the following medical records:

- Copy of the Notice of Intent
- A copy of the records from Western Wayne Family Health Centers
- A copy of the records from Beaumont Taylor Hospital
- A copy of the records from Michigan Surgical Associates
- A copy of the records from Beaumont Wound Care
- A copy of all photos-during debridement, post wound vac and present day

3. That Affiant is a licensed and practicing Nurse Practitioner and is familiar with the standard of care of a Nurse Practitioner practicing in a Family Practice Center, in the County of Wayne, Michigan area.

4. That the applicable standard of practice or care is what a reasonable ordinary Nurse Practitioner, specializing and practicing in the field of Family Practice Medicine, would do or not do under the same or similar circumstances.

5. It is my opinion that **CANDACE JOHNSON** and **DANIELLE RAE GERTZ**, NP, breached the applicable standard of practice or care.

6. The actions that should have been taken or omitted by **CANDACE JOHNSON** and **DANIELLE RAE GERTZ**, NP, in order to have complied with the applicable standard of practice or care are:

- a. Perform a thorough and complete medical history and physical examination;
- b. Properly have knowledge that the Vivitrol injection should be administered by a health care professional;
- c. Properly assess the patient's body habitus and degree of subcutaneous fat in the patient's buttocks;
- d. Properly choose the larger needle to assure the Vivitrol is injected intramuscularly vs subcutaneously;
- e. Properly have knowledge that Vivitrol injection can ONLY be injected intramuscularly (IM) into the gluteal area and must be alternated between the right and left buttocks for each subsequent injection, using the carton components provided in each Vivitrol package under the "How Supplied/Storage and Handling" section, per Manufacturer's Instructions;
- f. Refrain from injecting the Vivitrol in the subcutaneous fat, as to prevent tissue necrosis, severe cellulitis, abscess and an open deep tunneling wound;
- g. Wait the appropriate amount of time for the Vivitrol to reach room temperature before injecting; and
- h. Any and all acts of negligence identified in future discovery.

7. It is my opinion that **WESTERN WAYNE FAMILY HEALTH CENTERS**, breached the applicable standard of practice or care.

8. The actions that should have been taken or omitted by **WESTERN WAYNE FAMILY HEALTH CENTERS**, by and through their employees and/or agents, in order to have complied with the applicable standard of practice or care are:

- a. Select, employ, train and monitor its employees, servants, agents, ostensible agents and/or its staff of physicians, PACs, technicians, nurses, nurses aides and residents, to insure they were competent to perform adequate medical care;
- b. Ensure that appropriate policies and procedures are adopted and followed, including but not limited to, pursuing patient advocacy by following the chain of command where indicated;
- c. Perform a thorough and complete medical history and physical examination;
- d. Properly have knowledge that the Vivitrol injection should be administered by a health care professional;
- e. Properly assess the patient's body habitus and degree of subcutaneous fat in the patient's buttocks;
- f. Properly choose the larger needle to assure the Vivitrol is injected intramuscularly vs subcutaneously;
- g. Properly have knowledge that Vivitrol injection can ONLY be injected intramuscularly (IM) into the gluteal area and must be alternated between the right and left buttocks for each subsequent injection, using the carton components provided in each Vivitrol package under the "How Supplied/Storage and Handling" section, per Manufacturer's Instructions;
- h. Refrain from injecting the Vivitrol in the subcutaneous fat, as to prevent tissue necrosis, severe cellulitis, abscess and an open deep tunneling wound;
- i. Wait the appropriate amount of time for the Vivitrol to reach room temperature before injecting; and
- j. Any and all acts of negligence identified in future discovery.

9. Within a reasonable degree of medical certainty, the violations of the standard of care were the proximate cause of the damages claimed by the Plaintiff. As a direct and proximate result, the breaches of the standard of practice or care by Defendants **CANDACE JOHNSON, DANIELLE RAE GERTZ, NP, and WESTERN WAYNE FAMILY HEALTH CENTERS**, resulted in Catherine Grace's obvious, significant and severe burn, tissue necrosis injuries and permanent scarring and pain. Ms. Grace also sustained an avoidable deep abscess wound of the left buttocks, requiring multiple debridement's and placement of a wound vac. Due to the Defendants negligence and deviation from the Standard of Care, Ms. Grace experienced mental anguish and anxiety.

Over the course of time, the tissue necrosis/burns healed, but Ms. Grace has significant permanent scarring. The current color photos of the scarring reveal a scar on her left buttocks and areas of erythema. These scars have and will cause pain from the clothing and undergarments rubbing on the area. Ms. Grace applies ointment to these areas to relieve some of the ongoing pain. Ms. Grace continues to have difficulty sitting or laying on her left side. The scarred areas have and will leave Ms. Grace with significant pain, numbness and a burning sensation.

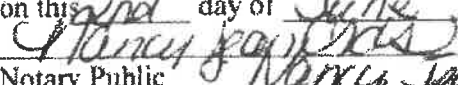
10. The violations of the applicable standards of practice for Defendants **CANDACE JOHNSON, DANIELLE RAE GERTZ, NP, and WESTERN WAYNE FAMILY HEALTH CENTERS**, physicians, residents, PACs, nurses, nurse's aides, technicians, and/or professional corporation, or agents, express, ostensible or otherwise who were involved in the care and treatment of Catherine Grace, were the proximate cause of injury to her. The violations of the applicable standards of practice affected the whole person, which were permanent in nature causing pain and suffering to Catherine Grace. She has suffered emotional anguish, mental

distress and loss of many of the enjoyments of living, consortium, companionship, and loss of financial assistance.

Additionally, she sustained permanent debility as the direct and proximate result of the failure to diagnose and treat the aforementioned medical condition. Further, appropriate diagnosis and treatment would have either obviated and/or ameliorated her current condition.

11. This opinion is based upon a review of the information to date and may or may not change upon review of additional materials.


PATRICIA A. WANGERIN, NP

Subscribed and sworn to before me
on this 2nd day of June, 2021

Notary Public Nancy Jean Olds
My Commission Expires: 11/02/2025

NANCY JEAN OLDS, Notary Public
State of Michigan, County of Muskegon
My Commission Expires 11/02/2025